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DEFINING AND FUNDING

A BASIC SYSTEM OF FREE QUALITY ELEMENTARY AND SECONDARY SCHOOLS

FOR

THE STATE OF MONTANA

A REPORT TO THE FIFTY-FIRST LEGISLATURE

IN RESPONSE TO HJR 16

ВУ

THE BOARD OF PUBLIC EDUCATION

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January 2, 1989

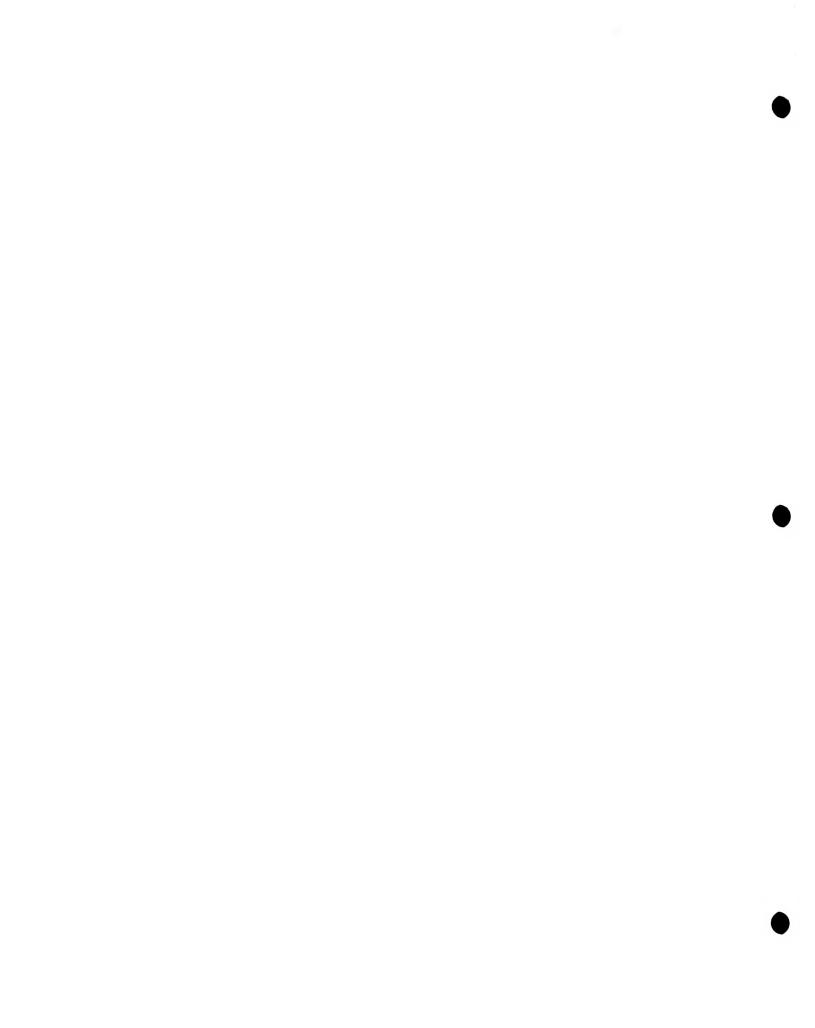
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#### PREFACE

House Joint Resolution 16 called for a joint interim study by the Board of Public Education, the Joint Interim Subcommittee on Basic Education and the Legislative Finance Committee. There were three reports written to the Fifty-first Legislature in regard to this resolution. In an effort not to be redundant, the Board has tried to keep its report brief, but cogent. For a complete understanding of the whole study and all the issues dealt with by the three groups, the reader is referred to:

DEFINING A BASIC SYSTEM OF EDUCATION FOR MONTANA'S NEXT CENTURY from the Joint Interim Subcommittee on Basic Education, prepared by Andrea L. Merrill, of the Legislative Council; and

FINAL REPORT: THE COST OF COMPLYING WITH PUBLIC SCHOOL ACCREDITATION STANDARDS AND A METHOD OF EQUITABLY FUNDING THESE COSTS from the Legislative Finance Committee,

### as well as this report:

DEFINING AND FUNDING A BASIC SYSTEM OF FREE QUALITY ELEMENTARY AND SECONDARY SCHOOLS FOR THE STATE OF MONTANA by the Board of Public Education.

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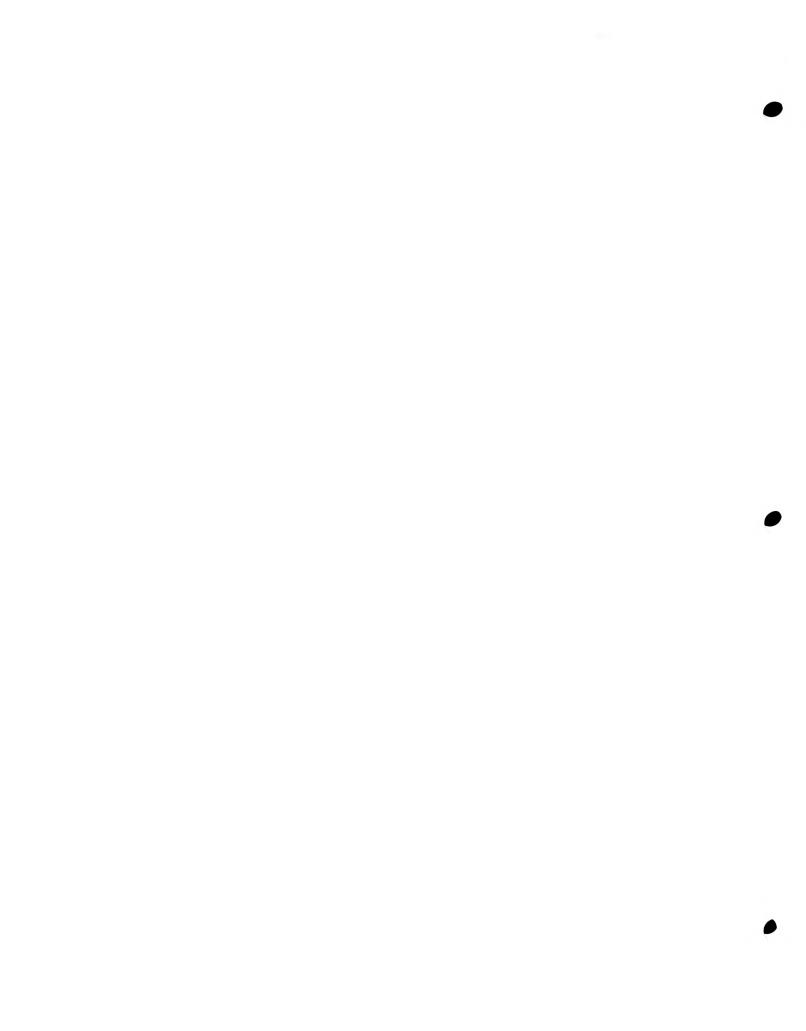
### INTRODUCTION

The Board of Public Education is required by the Montana Constitution to "exercise general supervision over the public school system." [Article X, Section 9, (3) (a)] The Legislature is required to "fund and distribute in an equitable manner to the school districts the state's share of the cost of the basic elementary and secondary school system." [Article X, Section 1, (3)]

From its earliest days as a state, Montana has standards for its schools. Although the standards have changed state's first century, they have always throughout the reflected the efforts of many Montanans who care improving education and ensuring the intellectual development and well-being of their most vital resource, their children. Since the new Constitution was enacted, the Board has been directly responsible for writing and revising the standards, by which it accredits schools. It has always sought public involvment in any revisions, and like other executive agencies, follows the procedures outlined in the Administrative Rules of Montana whenever it makes revisions. House Joint Resolution 16 provided the Board an opportunity for a most indepth and public review at a time when public education is at a crossroads. nationally and, particularly, in this state.

The Fiftieth Legislature created a most unique study resolution in HJR 16 when it asked the Board of Public Education, the Legislative Finance Committee and an appointed interim legislative committee to coordinate their work on a "thorough interim study" and to "recommend to the Fifty-first Legislature a definition of a basic education and how such a basic education may be equitably funded." The Board of Public Education was pleased that the Legislature saw this study as a partnership. In the introductory part of HJR 16 it was pointed out that the Subcommittee on School Funding, formed from the Forty-ninth Legislature, defined a "basic education" as Board's accreditation standards. The resolution itself recognized that this interim study was an outgrowth of the Underfunded Lawsuit and requested "the Board of Education to administer and coordinate a review of the adequacy of the accreditation standards" and "that the Board of Public Education and the two legislative committees coordinate their work to develop a fiscal note and budgeting system that provides articulation between the education policymakers and those responsible for balancing the state budget."

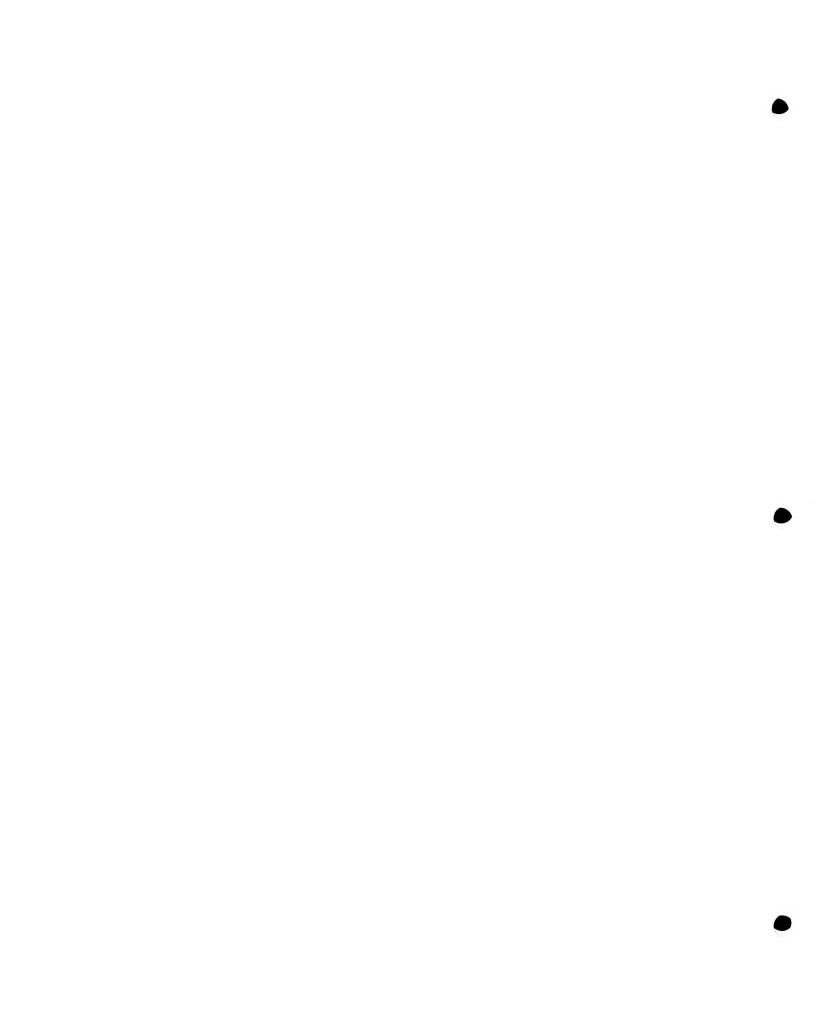
As the Board and the two legislative committees worked, the Underfunded Lawsuit was heard in The Honorable Judge Henry Loble's District Court and the funding of the current system was found to be unconstitutional. What became apparent to most policy makers in Montana from that trial, whether they agreed with the verdict or not, was that the state could no longer talk about a "basic education" but must instead discuss as in the words of the Constitution itself, "the basic system of free quality public elementary and secondary schools."



II. THE ACCREDITATION STUDY CONDUCTED BY THE BOARD OF PUBLIC EDUCATION

The first segment of HJR 16 requested the Board to "administer and coordinate a review of the adequacy of the accreditation standards, with appropriate assistance from the Office of Public Instruction." This request represented the lion's share of the Board's work for the next 18 months. While the Board is continually in the process of revising the accreditation standards and from time to time has had reviews of the whole set of standards, this project with its attendent appropriation allowed the Board to conduct the most extensive, public review it had ever done.

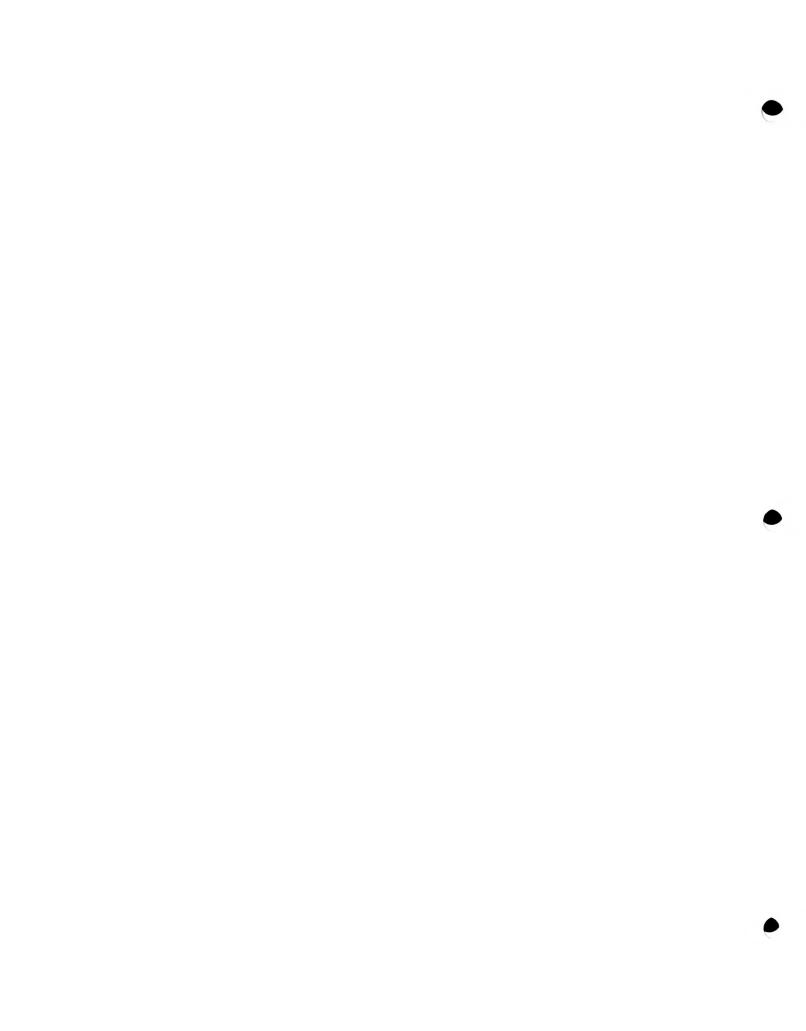
As early as January 1986, the Board of Public Education determined as one of its goals to move public education in Montana towards a student outcome based process. This would involve a shift in emphasis in Montana schools from being concerned first and foremost with how many years a child spent in a subject to what the child should have an opportunity to learn as a result of his or her public education in Montana. In other words, the qualitative parts of education would be emphasized. Even before setting this as a Board goal, in 1983, the Office of Public Instruction, supported by the Board, applied for, and received a grant from the Andrew W. Mellon Foundation through the Council of Chief State School Officers to try to begin to look at some qualitative aspects for the Accreditation Standards. Much of the work from these earlier Mellon Projects provided resources for the Board's activity in regard to HJR 16, and through the sharing of those early projects with others on the national scene, it became apparent that this new direction in Montana was also being encouraged by such groups as the Carnegie Commission, the Council of Chief State School Officers and others. Those concerned about education in Montana were recognizing that Montana is not an Our students leave Montana for work and higher education, and we receive students and teachers from the rest of the country and sometimes the world. To begin its work on HJR 16, the Board reviewed and used for guidance the materials from Educational Equality Project of the College Indeed, the Superintendent of Public Instruction incorporated work from that national project in his "Excellence in Montana Schools, 1983 Task Force Report." In 1979, when Montana wrote its teacher education standards, they were written in a form reflective of competencies that beginning teachers should have rather than courses, thus assuring that graduates would be prepared for the classroom, but giving colleges flexibility in designing their programs. With all these past activities, it is no wonder that the Board chose to focus the study first and foremost on what students should know or be able to do as a result of twelve years of education in Montana schools.



Because the Legislature felt this interim work to be so important, detailed and expensive, it added a special appropriation to the Board's budget for this interim only, and while the Board could not have done the work without it, this was still not sufficient resources to have the high level of involvement needed and to adequately fund such significant The Office of Public Instruction rechanneled collaborative grant which they had from the Council of Chief State School Officers to back up their technical assistance, and the Board was able to obtain a small grant from the National Governor's Association. Many people from throughout the state gave countless hours to the project, none the least of which were Board members themselves. In typical Montana style the Board stretched the resources it had to tackle the job given it by the Legislature. (See Appendix A, Activities & Timeline)

The summer of 1987 was a time of planning during which the Board determined that its work would be more than a study and titled its part of HJR 16 as PROJECT EXCELLENCE: Designing Education for the Next Century. It began with a public direction-setting meeting in Helena, in September. Over 400 participated. These included citizens members οf Legislature, educators from public and private schools and higher education, and the public. They wrestled with the issues of what students would need to know and be able to do to be productive citizens in the next century as well as how the state and schools would have to change to meet these needs. Their work was printed in an executive summary (see Appendix C, Documents Published) and was used as the basis for the next phase of the project.

Next, the Board set up eight Action Groups, whose membership included teachers, administrators, college faculty, school trustees, laypeople and students. (See Appendix B, Participants) These people came from all over Montana and represented large and small schools and communities. The Board asked people working on the project: 1) to keep in mind that education was to enable students to be productive citizens in the next century, 2) to use as a guide current research (See Resources & References) and 3) to consider what they knew to be good current practice in Montana schools. Based upon this background of materials and ideas, the groups were to determine student learning goals, resources, both human and material, which would be needed and then to compare what they had written with the current standards. It is interesting to note, that other than the addition of the student goals, the standards incorporate most of the current standards. To provide all schools in Montana with the human resources which the Board recognizes as necessary and which many schools in Montana currently have, will appear to increase the state's share of funding by only about ten percent. A six year phasein is planned to incorporate the additional cost in practical increments.



The Action Groups worked through the winter and the Board coordinated the groups' work into a draft document shared with the people of Montana in the spring. Though the documents were distributed on schedule, the time between the distribution and the public comment meetings was short. The Board held seven public meetings around the state in May, and while it received much helpful comment, it was also told, particularly in eastern Montana, that May is too busy a time for many Montanans to really study material which was received on rather short notice. It should be noted that even with the concerns of the short time for review of the draft document, 1200 people attended the seven hearings and the Board received approximately 500 separate pieces of testimony. (See Appendix B.)

The Board reviewed all of the public testimony in July and made significant revisions in the document. At that meeting the Board also seriously considered the issue of funding the Accreditation Standards. Dr. Arthur Wise, senior researcher of the RAND Corporation, studied the Board's work, the Legislative reports Fiscal Analyst's and presented some possible conclusions for the Board to consider. Also, at the July meeting, the Board determined which standards should be phased in over time so as to give the state opportunities to fund additional costs and to allow schools appropriate planning and implementation time.

In September the changes were fine tuned, and a new draft was mailed to all interested Montanans. This draft was noticed up for rulemaking as required by the Administrative Procedures Act, and rulemaking public hearings were held in early November in Billings and in Helena. (See Appendices A and B.)

At its December meeting the Board reviewed the public testimony and made further adjustments in the proposed rules, based upon that testimony. The testimony from this latest round was overwhelmingly supportive of the document as being educationally sound and a good direction for Montana schools to go, but there was a significant amount of concern expressed regarding the Legislature's commitment to funding any educational reform. At this meeting, the Board also determined which rules to include under the Fiscal Note Law requirement. It expects to take final action on much of the document at its January meeting.

Since HJR 16 was a cooperative effort of the Board and two legislative committees, during the interim the Board had staff or board members present whenever the legislative committees met. This was an effort to update them on the Board's work, to respond to any concerns they might have and to generally aid in coordination of HJR 16. There were periods that the Board struggled to meet the deadlines of the legislative committees, but it did meet those deadlines.

Through this process, the Board of Public Education has gained much insight into what the citizens of Montana want their schools to be. It has worked with a myriad of groups and



individuals, and has had re-enforced what it has always known: the art of setting good educational public policy is a matter of recognizing what is best for the children of Montana, tempered by what is practical for Montana. In this case, after much careful deliberation, the Board does believe that its proposed standards are educationally sound and that they are standards which will adequately define the instructional portion of "the basic system of free quality elementary and secondary schools." In this way, no matter where children attend school in Montana, there are common expectations about what they will have the opportunity to learn and that they will have access to the resources to help them accomplish this critical task--the task of being prepared to be productive citizens for the next century.

### III. CONCLUSIONS REACHED BY THE BOARD OF PUBLIC EDUCATION

Throughout its work on HJR 16, the Board made several significant decisions. The first group of conclusions has to do with the request by HJR 16 for a "definition of basic education." As was stated earlier in this report, the Loble decision profoundly affected how policy makers approach definitions. The Board is on record as supporting the following:

Any state definition should be for "the basic system of free quality public elementary and secondary schools" as stated in the constitution;

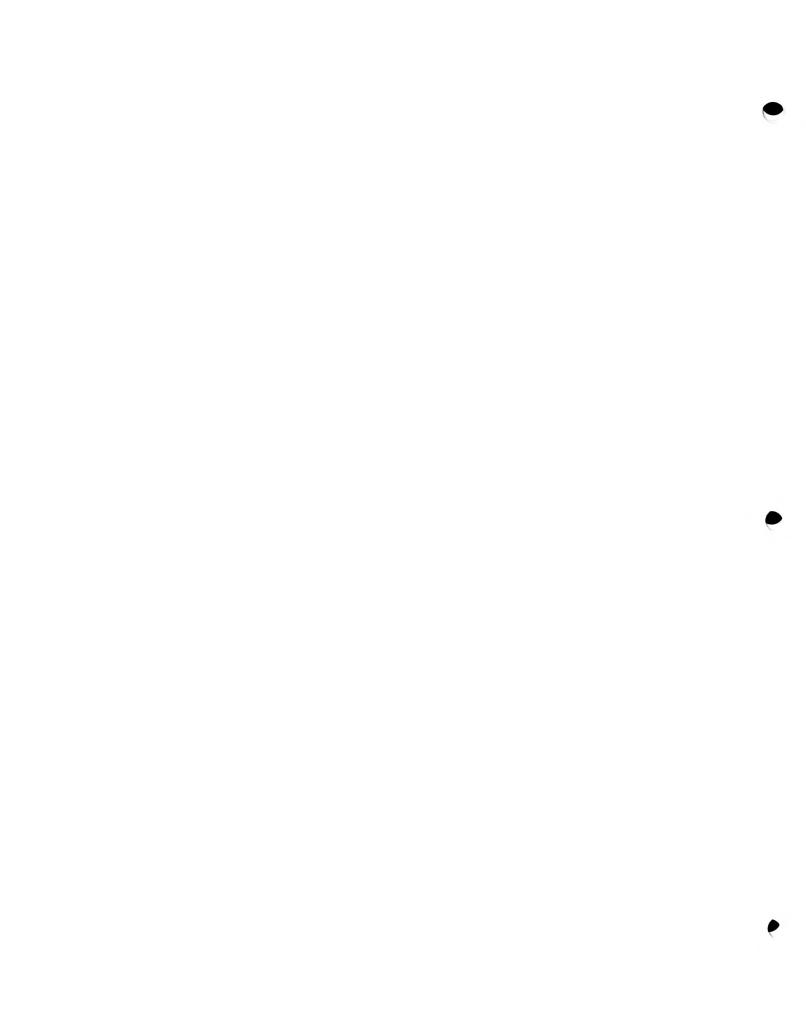
The instructional portion of the basic system is defined by the accreditation standards;

Particular items to be considered as part of "the system" are: special needs students, libraries, up-to-date resources, equipment, textbooks, supplementary materials and basic supplies to meet the required instructional program as outlined in the accreditation standards;

Teacher retirement, teacher experience, in-service training; salaries, support personnel, insurance, capital outlay, transportation, co-curricular and extra curricular programs and local governance should be considered when defining "the system."

Second, the Board was to determine the adequacy of the accreditation standards. It believes:

That the current accreditation standards are not adequate. They are outdated and not reflective of current thinking and societal changes.



Through the process, the Board concluded:

That Montanans want to know what educational opportunities their students have, that they want an organized, coordinated curriculum and appropriate assessment at the local level which reflects these common educational goals;

That the proposed accreditation standards much more closely reflect current school practice in Montana than do the current standards and are indicative of what all schools in the state should be doing;

That the proposed standards allow more flexibility for schools to meet state requirements in the most appropriate manner for their community resources and desires;

That by providing for planning and phase-in of significant changes, the implementation of the proposed accreditation standards will provide for all schools what many Montana schools have as current practice;

That some of the changes in the proposed accreditation standards will cost additional dollars. (The Board has submitted these specific rules in a separate letter to the Legislature as required by 20-2-115 MCA.)

HJR 16 requested the two legislative committees and the Board to also recommend "how such a basic education may be equitably funded." With regard to funding the system, the Board recommends:

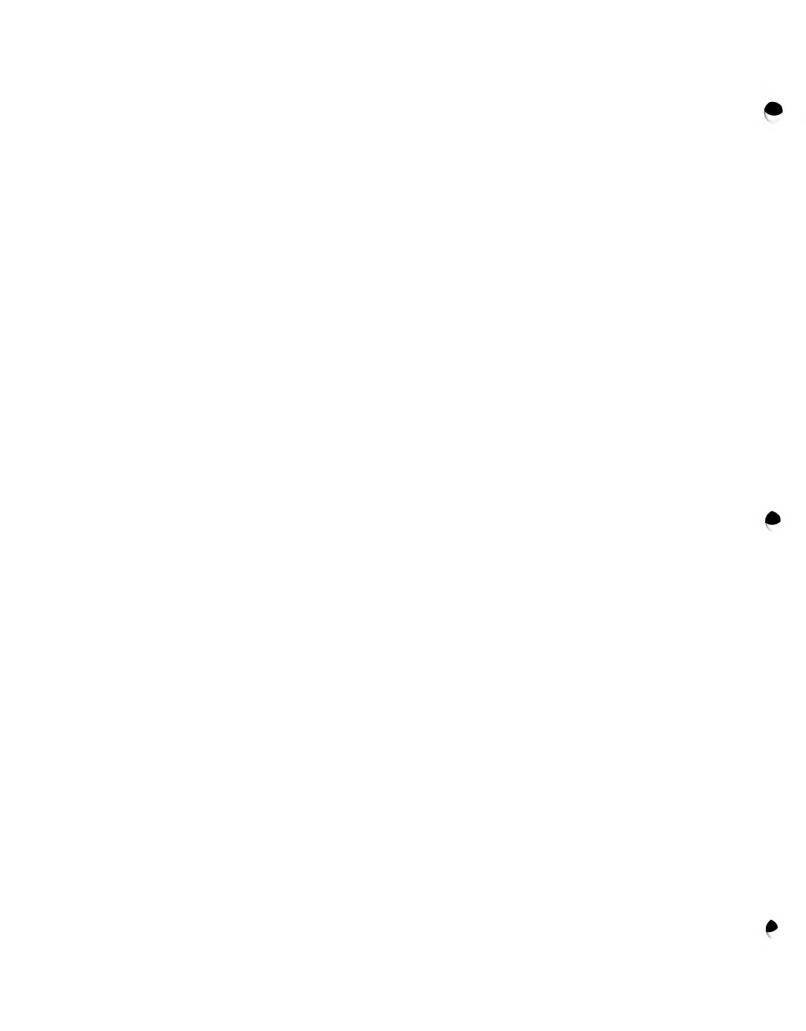
That a funding scheme should be equalized upward and phased in over time so that there is minimal negative impact to schools' current expenditures and programs;

That the Legislative Finance Committee report does not reflect the true costs of meeting the accreditation standards and that at least 10 percent would have to be added to those figures to more appropriately reflect true costs:

That a funding scheme should take into consideration the varying costs of geographical location in the state and the needs of particular student groups;

That the accreditation standards should be funded as phased in, and that to fund the constitutionally mandated system, the Legislature should consider reallocation of existing financial resources and new sources of revenue;

That any new funding scheme preserve the autonomy of local control to the extent possible;



And that the Legislature not take into account the equalization of federal impact aid funds in any plan, but if the members of the Legislature deem they must, they do so only after consultation with the Department of Education and affected school districts because of the potential loss of these funds.

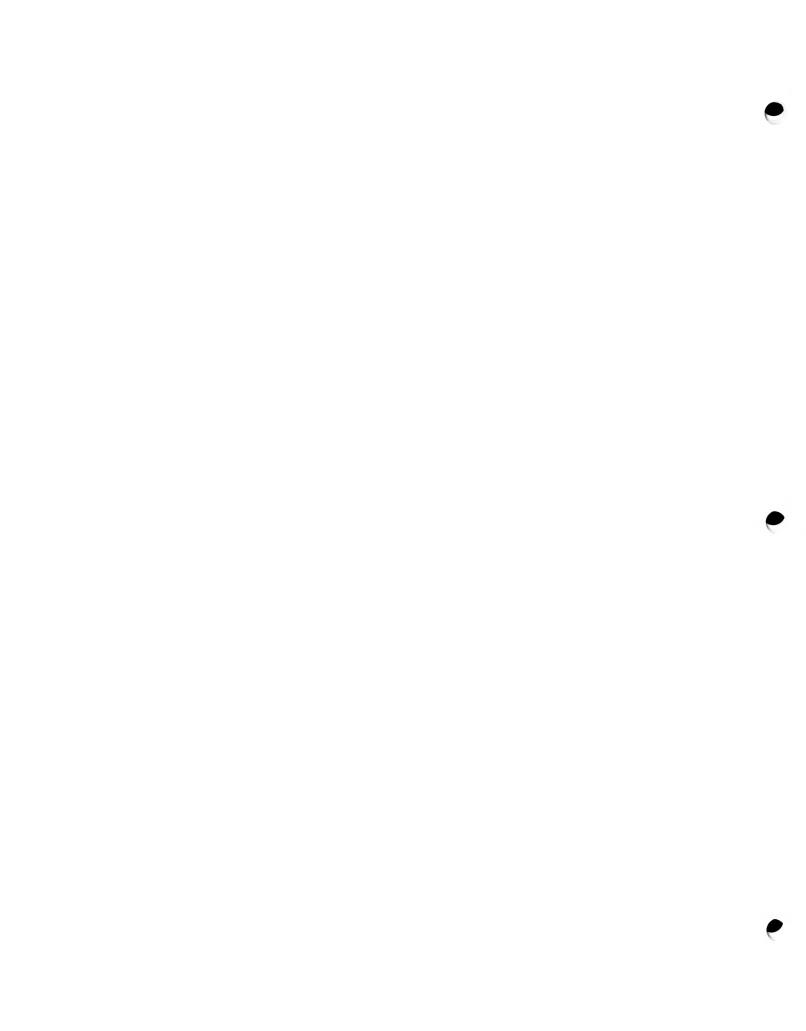
Finally, while the Board believes that the two legislative committees and the Board worked diligently to try to do all that was asked of them in HJR 16 and made great progress in many areas, one area was not addressed. That is that no "fiscal note and budgeting system that provides articulation between the education policymakers and those responsible for balancing the budget" was developed. The Board is committed to continued work in this area.

IV. SUMMARY OF RECOMMENDATIONS TAKEN BY JOINT ACTION OF THE BOARD OF PUBLIC EDUCATION, THE LEGISLATIVE FINANCE COMMITTEE AND THE JOINT INTERIM SUBCOMMITTEE ON BASIC EDUCATION

These three groups met November 17, 1988, and agreed to make the following recommendations to the Fifty-first Legislature:

That the instructional portion of a definition of a basic system of education be the school accreditation standards adopted by the Board of Public Education; and

That the final report of the K-12 Education Subcommittee of the Legislative Finance Committee be accepted by the Fifty-first Legislature, without approval or disapproval, for further consideration in the Legislature's quest for methods of equalizing the funding of K-12 public education in Montana. The report presents that subcommittee's estimate of the cost of meeting the accreditation standards proposed by the Board of Public Education, as of November, and presents a plan for equalizing the cost of the proposed standards.



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Wise, Arthur and Weinstein, Shelly. "The Politics of Inequality: A Case Study," Phi Delta Kappan, October 1976, pp 169-172.

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Arkansas
Colorado
Florida
Idaho
Illinois
Indiana
Kentucky
Maine
Michigan
Minnesota
Mississippi
Nevada
New Hampshire

New Mexico
North Carolina
Ohio
Oklahoma
Oregon
Pennsylvania
Rhode Island
South Carolina
Utah
Vermont
Washington
West Virginia

Wyoming

### Resources sent to Action Groups

All Action Groups received current background information in their specific areas from their resource people at the Office of Public Instruction. The following is a list of Action Group resources on file at the Board of Public Education.

#### COMMUNICATION ARTS

"Appendix E. National Council of Teachers of English Statement on Integrating Media into English Language Arts," Leadership Series, Ohio Department of Education, 1985 pp. 32-33, 120-121.

"Back to the Basics: Composition," <u>SLATE</u>, Vol 1, No. 4, National Council of Teachers of English, Urbana, Illinois, August 1976.

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  NCSS Tool Kit, Reprinted and Distributed by National
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- "Global Education: In Bounds or Out?," A Report Submitted to the Board of Directors, National Council for the Social Studies, Social Education, April/May 1987, pp 243-249.
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- "Revisions of the NCSS Social Studies Curriculum Guidelines," <u>Social Education</u>, Orlando, FL, April 1979, pp 261-273.
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- "Social Studies Objectives," A Project of the Education Commission of the States, National Assessment of Educational Progress, Ann Arbor, Michigan/Denver, Colorado.
- The Social Studies Teacher, Vol IX, No. 2, Orlando, Florida, Nov-Jan. 1987-8.

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#### APPENDIX A

### Activities & Timeline

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April HJR 16 enacted

June Board meets - Accreditation Committee meets -

Board sets general direction for PROJECT

EXCFLLENCE

July Board meets - continues refining PROJECT

Coordinator Hired

August BPE/OPI Staffs meet to coordinate

responsibilities of specialists, set funding

parameters

September Accreditation Committee Conference Call-

Action Group Chairs chosen, time line set Board meets - Accepts Committee recommendations

Public Direction-Setting Meeting

October Board Conference Call - Members of eight Action

Groups chosen

Action Group facilitators chosen (OPI staff)
Northwest Labs Consultant meets with Board

Staff and OPI staff involved in PROJECT-debriefing of public meeting

Summary of results of Direction-Setting meeting

available

Action Groups meet for first time (together)
Joint Interim Subcommittee on Basic Ed in

attendance with Action Groups

November Board meets - discusses format for Standards

Action Group Facilitators debriefing - LFA &

Legislative Council staff in attendance

December Board meets - Accreditation Committee meets;

Implementation members chosen, May hearings set, format accepted, time line

adjusted

Second meetings of Action Groups

Working Drafts of Action Group work distributed Second debriefing of Facilitators - Legislative

Council staff attends

Activities & Time Lines, Board of Public Ed, cont.

## 1988

January Implementation Action Group meets

Update from Board Chair sent to all Legislators

Jan-Feb Third meetings of Action Groups

February Board meets - sets parameters for Implementation Group; approves Centennial sanction

application

Third debriefing of Facilitators - One LFA

staff member in attendance

Second meeting of Implementation Action Group Working Drafts of Action Group work distributed

March Board meets - makes decisions on: alternative standard, extra/co-curricular activities, graduation requirements, subject time/unit, fractional credit and alternative

credit

April Third meeting of Implementation Action Group

Working Drafts of Action Group work distributed Update from Board Chair sent to all Legislators PROJECT EXCELLENCE featured on "Face The State" Wide distribution of information re: PROJECT EXCELLENCE through print and personal

appearances

May Board of Public Education meets - accepts draft

document for distribution

First draft document printed and distributed Progress Report published and distributed Invitation to hearings sent to all

Legislators/Candidates

Public hearings on draft document - seven

cities

June Board meets - discusses: revisions, funding

lawsuit, definition of basic system

Summary of Testimony from public hearings

available

July Board Working Meeting - makes recommendations (changes as result of public testimony

/changes as result of public testimony. Implementation Action Group attends. Presentation and discussion on funding-

Dr. Arthur Wise

Revised draft made available

September Board meets - accepts draft for second hearing Second draft document published and distributed

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Activities & Timelines, Board of Public Ed, cont.

October Second Progress Report published and distributed

Wide distribution of information re: PROJECT EXCELLENCE through print and personal appearances

November Board meets - Public hearings on draft document - Billings and Helena

December

Board meets on PROJECT EXCELLENCE as committee of the whole - makes recommendations/ changes as result of public testimony

Summary of Testimony from public hearings available

### Board Participated In:

Meetings of Joint Interim Subcommittee on Basic Education Sept. 17, 1987 April 30, 1988 June 22 August 15 November 16

Meetings of K-12 Education Subcommittee of the Legislative Finance Committee

November 20, 1987 January 21, 1988 April 12 May 13 June 23

August 19 September 17 October 29

## Other meetings

 $\mbox{HJR}$  16 Roundtable Discussion - sponsored by Basic Education & K-12 Subcommittees

June 23, 1988 (am) - Consensus building, educational community

Joint Meetings - HJR 16 groups (Board and Basic Ed/K-12 Subcommittees)

June 23, 1988 (pm) - shared actions of last meetings November 17, 1988

Options For Equity - sponsored by US West December 12-13, 1988



## APPENDIX B Participants

Direction-Setting Meeting - September 18, 1988

- -Over 400 participants: members of the public, parents, legislators, teachers, administrators, representatives of higher education
- -Facilitators staff members from OPI
- -Board of Public Education members
- -Speakers: Dr. John Pulliam, Dean, School of Education, University of Montana

Jessica Stickney, Miles City

Rebecca Yount, Council of Chief State School Officers' Mellon Project

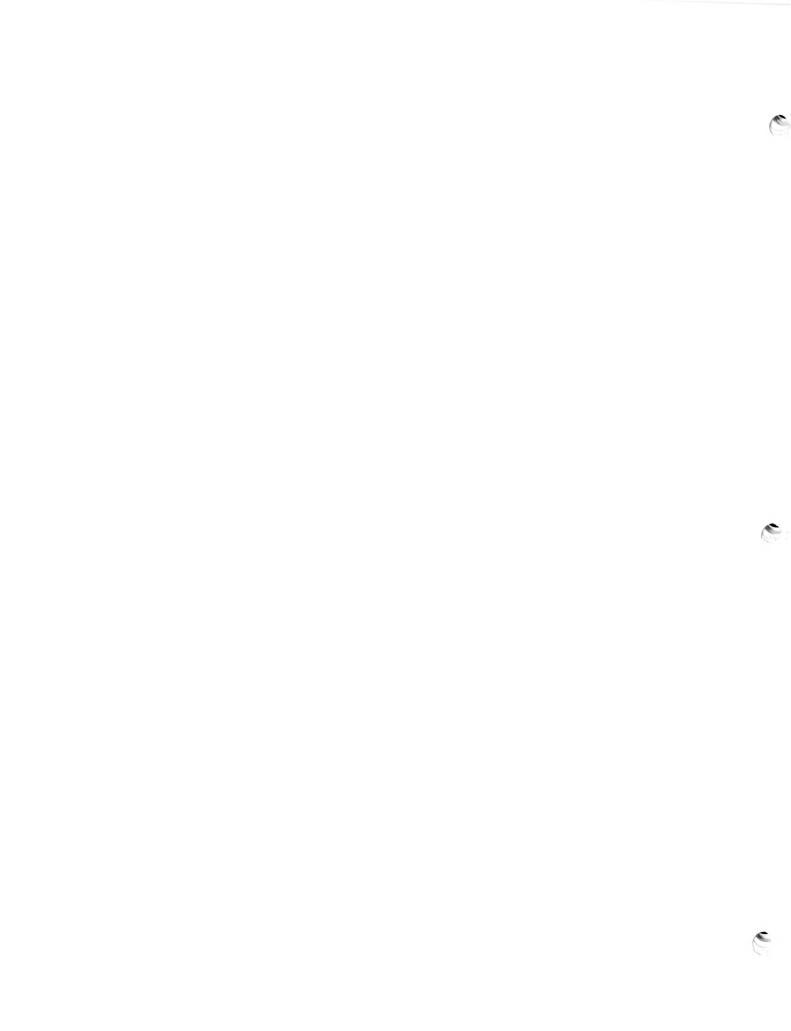
Joan Katkus, President, Ladies Auxiliary, Veterans of Foreign Wars

Action Groups - 78 people (list available - Board Office)

- -Seven program area groups of varying size; from 7 to 13 people each. Membership chosen to represent Montana demographics and included: laypersons, school trustees, teachers, administrators and college faculty
- -OPI staff provided one facilitator for each group and one or more resource people 24 individuals.
- -As the groups met at various locations around the state they invited local superintendents to send a student representative, a special ed. teacher, and a gifted and talented teacher to the meetings
- -Legislators from the interim committees attended meetings of their choice

#### May Hearings

- -Seven public schools provided space
- -1,279 people signed attendance sheets
- -221 people spoke



## November Hearings

- -One school and Dept. of Highways provided space
- -387 people signed attendance sheets
- -143 people spoke
- -Over 800 people/organizations testified (oral &/or written)

#### Other Contributors

- -Superintendent Argenbright, Deputy & Assistant Superintendents
- -Consultants: Tom Olson, Senior Associate, Northwest Regional Education Laboratory, Oregon
  - Dr. Arthur Wise, Senior Researcher, the RAND Corp., Washington, D.C.
  - Dr. Leroy Casagranda, Professor of Curriculum, Montana State University
  - Christian Tweeten, Attorney, Attorney General's Office
- -Ellen Meloy, document editor
- -Educators who helped rewrite fine arts and social studies goals
- -Educational groups and associations

#### APPENDIX C

# Documents Published\* (in order published)

Fact Sheet for Direction Setting Meeting

Executive Summary - Direction Setting Meeting

A Progress Report to the People of Montana

Montana School Accreditation Standards - Draft May 1988 (in the Progress Report, this document was referred to as "A Basic System of Quality Education: Montana School Accreditation Standards")

Summary of Oral and Written Testimony Heard or Received From March to May, 1988

Various Fact Sheets distributed at group presentations

A Second Progress Report to the People of Montana - Fall, 1988

Montana School Accreditation Standards - Draft for Rule Hearing

PROJECT EXCELLENCE: Rules I - XXXIV and CLXXXIV - CLXXXVI, Summary of Testimony From Public Hearings, November 1988

<sup>\*</sup>Available from the Office of the Board of Public Education Reference Copy on file in Legislative Council Library

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